

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MISSOURI  
EASTERN DIVISION

|                    |   |                             |
|--------------------|---|-----------------------------|
| ROBERT L. LEFFLER, | ) |                             |
|                    | ) |                             |
| Movant,            | ) |                             |
|                    | ) |                             |
| vs.                | ) | Case No. 4:04-CV-1129 (JCH) |
|                    | ) |                             |
| JIM MOORE,         | ) |                             |
|                    | ) |                             |
| Respondent.        | ) |                             |

**MEMORANDUM AND ORDER**

The matter is before the Court on its review of the record. Petitioner Robert L. Leffler filed his Petition under 28 U.S.C. § 2254 for Writ of Habeas Corpus by a Person in State Custody on August 24, 2004. (Doc. No. 2). On January 19, 2007, Respondent Jim Moore was ordered to inform the Court whether Petitioner had exhausted his state court remedies.(Doc. No. 19). The Court forwarded a copy of this Order to Petitioner and it was returned as undeliverable on February 5, 2007. (Doc. No. 20). The Court has made two more attempts to send Petitioner a copy of its Order and both have been returned as undeliverable. (Doc. No. 21, 24). Petitioner has not provided the Court with an updated address.

Local Rule 45-2.06, governing pro se actions, provides in relevant part:

Every pro se party shall promptly notify the Clerk and all other parties to the proceedings of any change in his or her address and telephone number. If any mail to a pro se plaintiff or petitioner is returned to the Court without a forwarding address and the pro se plaintiff or petitioner does not notify the Court of the change of address within thirty (30) days, the Court may, without further notice, dismiss the action without prejudice.

Local Rule 45-2.06(b). Pursuant to the foregoing, the Court will now dismiss Petitioner's action without prejudice.

Accordingly,

**IT IS HEREBY ORDERED** that Petitioner's Petition under 28 U.S.C. § 2254 for Writ of Habeas Corpus by a Person in State Custody (Doc. No. 2) is **DISMISSED** without prejudice. An appropriate Order of Dismissal will accompany this Order

Dated this 8th day of March, 2007.

/s/ Jean C. Hamilton

UNITED STATES DISTRICT JUDGE